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24 March 1981

Worldwide Report

LAW OF THE SEA

No. 145

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REPORTAGE ON SCHEDULED UN LAW OF SEA SESSION

U.S. Changes Stance

LD051828 Moscow TASS in English 1242 GMT 5 Mar 81

[Text] New York, 5 Mar, TASS--TASS correspondent Valentin Vasilets writes: The U.S. administration has blocked the completion of work on an international convention on the Law of the Sea that was initially planned to be completed in the spring of this year. The United Nations Secretary General Kurt Waldheim was officially informed by an American representative that the United States would review its attitude to the existing draft of the convention.

But it is an open secret why the U.S. administration has changed its stand so abruptly. American monopolies are long pressing for the "right" to unilaterally mine valuable mineral deposits in international waters. Practical preparations for the utilisation of the wealth of the world ocean have been started by such huge industrial corporations as United States Steel Corporation, Lockheed, and Standard Oil Company of Indiana. It was under pressure from them that the relevant bills were introduced in Congress.

But these plans of imperialist seizure of certain areas of the world ocean fully contradict the basic principles of international law. The resources of the seabed in international areas have been proclaimed by the United Nations General Assembly the common wealth of mankind and their utilisation should be regulated in the interests of all states by a generally accepted convention. It is largely because of the claims of American capital that the drafting of such a convention is being dragged out for many years.

As it ought to have been expected, the new American Government that includes eleven former top officials of big companies, turned out to be even more responsive to the demands of the monopolies than the Carter administration. The New York TIMES does not even conceal that the White House decision to block the conclusion of the convention is explained by "intensive pressure" by private interests.

'Unreliable Partner'

LD051834 Moscow TASS in English 1653 GMT 5 Mar 81

["Unreliable Partner"--TASS headline]

[Text] Moscow, 5 Mar, TASS--TASS political news analyst Valdimir Vashedchenko writes:

The U.S. administration has announced that it will not comply with the earlier agreements on concluding a convention establishing the basis for the international regulation of the development of the world ocean. According to American press reports, Secretary of State Alexander Haig told the U.S. representative at the third United Nations Law of the Sea Conference to try to prevent the completion of the talks on this problem at the current

stage of the conference in view of the forthcoming revision of the U.S. policy on that issue.

The United States thus demonstrated once again its inconsistency and unreliability as a partner in international negotiations. The Washington authorities unceremoniously went back on their pledges they made during the talks which have been going on since 1973.

The United States announced its decision before the 10th session of the third U.N. Law of the Sea Conference which was to conclude the complicated work for many years by representatives of 150 countries by adopting an international convention, the draft which was coordinated at the 9th session of the conference.

It became possible at that time to reach an accord on the most difficult questions of international law in the field of developing seabed mineral resources outside the continental shelf and on the procedure of adopting decisions in the council of the international body which deals with problems of the seabed. The earlier advanced provisions on 200-mile economic zones and 12-mile territorial waters were confirmed.

It has been recognized by all that the adoption of that document would promote international cooperation and strengthen peace. The Washington administration approaches this question from different positions. All signs indicate that the draft convention, prepared on the basis of the principle of equality and taking into account the interests of all sides, does not suit it. Washington is selfishly striving for unilateral advantages. It is de facto and totally unlawfully, prior to the adoption of the international convention, that the United States wants to gain unilateral advantages and privileges to exploit seabed resources.

The U.S. imperialist claims to the riches of the world ocean cannot but evoke resolute condemnation of the world public, and particularly in the U.S. circles. The American encroachments on certain regions of the world ocean, their conceited and offhand attitude to the interests of other states run counter to the basic principles of international law and decisions of the U.N. General Assembly which proclaimed seabed resources the property of the whole of mankind.

CSO: 5200

U.S. 'SABOTAGES' LAW OF SEA CONVENTION

LD101448 Moscow TASS in English 1052 GMT 10 Mar 81

[Text] New York, 10 Mar, TASS--A regular session of the third United Nations conference of the Law of the Sea opened at the United Nations headquarters. Taking part in the session are representatives of more than 150 states.

The session will continue the work over an international convention that was started more than seven years ago. The convention must regulate the use of resources and expanses of the world ocean. Numerous complicated talks were held in the recent years in the framework of the conference. A number of acute differences between various groups of states have been overcome during these talks. A draft convention envisaging compromise decisions on most of the questions of the law of the sea has been prepared as a result.

Opening the session, United Nations Secretary General Kurt Waldheim expressed deep regret over the fact that contrary to what was expected the working out of the convention might not be completed early this year. He pointed out that a delicate balance between the rights and duties of states might be disrupted as a result of unilateral decisions.

Kurt Waldheim's remarks are addressed to the United States, whose unilateral actions once again jeopardised the entire work on the draft of the convention. Several days before the opening of the session when the delegations have already gathered in New York and embarked on preliminary discussions, U.S. Secretary of State Alexander Haig on the directive of the White House, instructed the U.S. delegation to prevent the adopting of the final agreement.

Thus Washington again went back on the promises that were made by the previous administration. The New York TIMES notes in this connection that this raises the question of confidence in the United States as a participant in the talks.

Washington's uncereemonious step shows again its complete disregard of the world community. As it became known here, the United States has not consulted even its closest allies.

It is no secret to anyone that Washington sabotaged the adoption of the convention to suit big U.S. corporations that have been pressing for the "right" of uncontrolled exploitation of the seabed in international areas.

Less than 48 hours before the opening of the conference, Washington dealt another blow on it. The entire composition of the U.S. delegation has suddenly been replaced so that the delegation now is actually unprepared for any serious discussion of complicated problems of the Law of the Sea. It is also noted here that the delegation includes persons who have long since become notorious in the USA as resolute opponents to the working out of a mutually acceptable convention. Hardly anyone now has any doubts that Washington seeks to disrupt the session.

CSO: 5200

WORLDWIDE AFFAIRS

U.S., PRC ACTION ON LAW OF SEA DECRIED

OW080205 Moscow Radio Peace and Progress in Mandarin to Southeast Asia 1000 GMT
7 Mar 81

[Sunichin commentary]

[Excerpts] An international conference on the Law of the Sea will soon open on the tense situation. The Reagan administration has informed UN Secretary General Waldheim that it will reconsider the American stand on the issues to be discussed at the conference. On instructions from U.S. Secretary of State Haig, the U.S. delegation will thwart negotiations at the conference so that it will not be able to conclude successfully this year. Foreign observers point out that the Reagan administration has decided to reject the draft of the international convention on the Law of the Sea which has almost been completed. The representatives of 150 countries have held difficult negotiations for 7 years in order to prepare this draft.

The New York TIMES pointed out that people at the United Nations are angry and concerned about the U.S. action. However, I do not think that this U.S. action is unexpected. Because the present Washington authorities are pursuing a policy designed to stir up international tension, they are trying hard to make it impossible for various countries to reach an agreement on the Law of the Sea.

By rejecting the draft of the convention on the Law of the Sea, Washington will try to stall the negotiations as long as possible. The United States has done so for years at conferences on the Law of the Sea. The crux of the matter is that certain groups in the United States and other Western countries want to take possession and monopolize nickel, manganese, tungsten, molybdenum and other precious mineral resources on the floor of the open seas in advance.

After a statement issued by the Group of 77 developing countries pointing out that such action is illegal, the U.S. delegation had to play tricks at the conference and express its so-called "sincerity." However, the Reagan administration's intention to obstruct international supervision over the use of marine resources in the world shows that this was hypocritical and that the United States is pursuing an imperious and despotic policy in international relations.

However, the American stand has actually been supported by the Chinese delegation. Stopping at nothing in spreading slanders against the Soviet Union and Vietnam, the Chinese delegation has tried to divert the attention of conference participants from making concerted efforts to solve pressing issues on the Law of the Sea. The Chinese delegation has its own logic in this regard. Like Washington, Beijing is attempting to substitute its unilateral, arbitrary action for international law. Several years ago, Beijing leaders seized by force Xisha Islands which belong to Vietnam. In 1979, Beijing declared four high-sea water areas in the South China Sea to be restricted zones regardless of the International Civil Aviation Organization's protest.

The Beijing leadership took a further step on the road of expansionism last year by declaring that a water area of about 30,000 square km around the Nansha Islands is China's territorial waters. Beijing has signed contracts with Western monopoly groups to exploit petroleum resources in areas in the South China Sea that belong to other countries. At the same time, Beijing leaders have threatened the Philippines by saying that they will never tolerate oil extraction by the Philippines in waters near the Philippine Islands in the South China Sea.

Such arbitrary action by the Beijing leadership has caused grave concern among the ASEAN countries. Admiral (Wu-wa-er-suo) of Indonesia said at the end of last year that China's intention in the South China Sea continues to be a grave threat to the Southeast Asian countries. Beijing's attempt to create tensions has also been condemned by overseas Chinese whose interests are directly related to the strengthening of peace and security in that region.

CSO: 5200

'XINHUA' REPORTS ON UN SEA LAW CONFERENCE

OW101220 Beijing XINHUA in English 1209 GMT 10 Mar 81

[Text] United Nations, 9 Mar (XINHUA)—The third United Nations Conference on the Law of the Sea began its tenth session here this afternoon to complete the work on a convention on the law of the sea this spring and to have it signed in Caracas, Venezuela, before the end of 1981.

UN Secretary General Kurt Waldheim pointed out today in a statement to the session that "in my report to the thirty fifth session of the General Assembly I stated that the work which remains outstanding in this conference could be completed early in 1981. It is with deep regret that I have to recognize that those expectations may have been affected by changing circumstances."

The statement of the secretary-general reflected an uncertain atmosphere prevailing at the UN headquarters these days.

According to a dispatch from Washington a few days ago, the Reagan administration had announced that it would not go along with previously agreed-upon efforts to conclude a multinational convention this spring to regulate the use of the oceans and their riches.

The New York TIMES reported "The U.S. State Department officials attributed the administration's decision to prevent conclusion of the convention in the forthcoming session to a number of factors, including intense pressure from private mining interests and a plank in the Republican Party's platform that was critical of the Law of the Sea Conference."

Diplomats from various countries, especially from the Third World countries held that the U.S. attitude towards the Conference of the Law of the Sea may undo seven years of laboriously worked-out compromises on which the delegations of more than 150 participating nations had all but agreed at the ninth session held in Geneva in August 1980. The delegates here had hoped to wind up the substantive work on the text of the convention of 320 articles, with eight annexes containing another 120 articles, at the final session starting today and ending in late April.

Since the Conference of the Law of the Sea began in 1973, it has reached agreement on hundreds of draft articles ranging from protection of the ocean environment to the passage of ships through international straits. But the conference has yet to act on several issues, including sovereignty over the 12-mile territorial sea, matters concerning deep sea-bed mining and the formula for settling disputes about overlapping maritime boundaries beyond the territorial sea.

CSO: 5200

INDONESIA-VIETNAM SEA BOUNDARY PACT

Hong Kong SOUTH CHINA MORNING POST in English 25 Feb 81 p 24

[Text]

Jakarta, Feb 24.
Vietnam and Indonesia are inching towards agreement on their long-standing dispute over seabed boundaries in potential oil-bearing areas of the South China Sea and officials will meet in Jakarta in May to try to resolve the problem. Foreign Minister Mochtar Kusumaatmadja said today.

"I think our positions have become closer and the significant thing about these talks is that both sides hopefully will come to these negotiations with a proposal to try to reach agreement," Dr Mochtar said.

The May meeting will be the fifth gathering of technical officials from the two countries on where to draw the boundary line somewhere off Indonesia's Natuna Is-

lands, where oil has already been found by several American companies prospecting for Indonesia.

Dr Mochtar stressed delays in holding the latest round of talks had nothing to do with the Cambodian conflict but because Indonesian officials had to complete assignments at the Law of the Sea Conference to be free for the May session.

"The delays were totally unrelated to the Cambodian issues. The seabed talks are a bilateral matter between Indonesia and Vietnam.

"They have never in any way been related to the Cambodian question. In fact they have not even been held at a political level," Dr Mochtar said.

He said Indonesia was still adopting the middle line

principle of equidistances in waters separating the two countries. Vietnam had dropped the Thalweg principle based on fixing lines in the deepest water, but was now pursuing what was known as the equitable principle, which had currency among some nations.

"But there is definitely a will on both sides now to come to an agreement. I hope it will take only one or two meetings more," Dr Mochtar said.

He was speaking before leaving for Geneva to brief Indonesia's diplomats in Europe, after which he is going to New York to discuss a draft Law of the Sea Convention with members of the Group 77 of developing countries.

—Reuter.

CSO: 5200

NEW ZEALAND COURT DISMISSES CHARGES AGAINST SOVIET FISHERMEN

Agrees Trawling Net Shrank

Wellington THE EVENING POST in English 24 Feb 81 p 1

[Text] An undersized net found on a Russian trawler last year shrunk during a trawl, a District Court judge ruled today.

Judge A B Beatson came to that conclusion today in dismissing a charge against two Russian fishermen of using a net with an undersized mesh.

Judge Beatson said he was satisfied beyond any doubt that a theory postulated by Mr Anthony Feinson, a tutor at the New Zealand Technical Correspondence Institute in Lower Hutt, who gave evidence for the defence as to the cause of the shrinkage, was the correct one.

Irregular

"That is, that by dragging the trawl across the sea bottom and pulling up five tonnes of mud the filaments in the fibres of the net swelled albeit in an irregular manner causing shrinkage of some 80 to 85 percent of the total codend," he said.

Victor Albrandt, ship's master and Alexander Smirnov, chief trawl master of the Russian fishing trawler Brigadir, had been accused of using the vessel for fishing in New Zealand waters with a net, the size of which was in the cod end less than 100 millimetres.

They had pleaded not guilty to the charge and were represented by Mr Rod Hansen of Auckland. Mr K G Stone prosecuted for the Ministry of Agriculture and Fisheries.

Judge Beatson had reserved his decision in the case at the conclusion of the hearing of evidence last December.

Albrandt and Smirnov returned to Russia when the crew of the Brigadir was replaced in early January.

"I am also satisfied on the evidence, insofar as anyone could be, that when trawl No 3 commenced, the one in which the mud was collected, although no specific check of the net had been made when it entered the water, it was of the correct size.

"What I am not able to find in the evidence is when the shrinkage occurred, that is during the trawl or after trawl No 3 had ceased but prior to inspection by HMNZS Taranaki Officers," the judge said.

Conclusive

"I am also able to say quite conclusively that the Brigadir was fishing within New Zealand Fisheries waters as alleged and that the

cod end when measured was undersized," he said.

Last December 3 Brigadir was trawling about 120 miles off the east coast of New Zealand in the area known as the Chatham Rise.

About 7pm the HMNZS Taranaki sent a party aboard the Russian trawler for a routine inspection of fishing equipment.

Satisfied

It was ascertained that some of the mesh in the cod end was undersized. A subsequent check by the Department of Agriculture and Fisheries revealed that approximately 80 percent of the mesh was undersized.

Judge Beatson said he was satisfied as to the speciality and expertise of Mr Feinson in textiles. He was a chartered textile technologist and had worked in the industry for 25 years.

Mr Feinson had taken a sample of the undersize net and conducted a number of tests and samples of new net material off the Brigadir with which to make comparisons.

From his conclusions and the tests he conducted, Mr Feinson said that fishing nets made of that particular material could shrink.

During tests conducted by the witness he had got "a tremendous amount of mud and dust coming out of the mesh of the cod end in question."

These particles were entangled between the individual filaments. The inevitable result of this entanglement in his opinion would be to spread the filaments themselves because of all the particles trapped between them and this caused a swelling or an increase in the bulk of the cord," Judge Beatson said.

"Accepting the evidence that on the third trawl the net had been dragged for some hours over the sea bottom and picked up some five tonnes of silt, sediment and mud, he came to the conclusion that in distorting the filaments coupled with the abrasive factor of the running over the sea bottom would in itself have caused the shrinkage to the degree which was found."

Change in Regulations Seen

Wellington THE EVENING POST in English 25 Feb 81 p 5

Text Alterations to the fishing regulations are possible in the wake of the dismissal yesterday of a charge of fishing with an undersized net against two Russian fishermen.

The assistant director of the fisheries management division of the Ministry of Agriculture and Fisheries, Mr T E Norris, said the crown prosecutor in the case was preparing a report on the implications of the decision.

"Until we have that report we cannot really make a decision either way," he said.

Yesterday Judge A B Beatson found that an undersized net found on the Russian trawler Brigadir last year shrank during a trawl.

Mr Norris said that fisheries patrol vessels would of course still have the right to arrest a ship they have boarded.

"The law still stands."

He said the fisheries "net expert" in Nelson was looking at the question of whether it was possible to prove that a net was undersize before a trawl and did not shrink during it.

Material

"As I understand it, it was only the material used in this particular net that may be a problem."

Mr Norris said it was standard practice now that any foreign vessel licensed to fish in New Zealand waters must first call into port to have all its gear checked by fisheries officers.

Evidence was given in yesterday's case that this had happened to the Brigadir.

This practice would continue.

"At this stage we're not what you might call breaking our hearts over the decision. This is one judge's decision in a particular case, which need not necessarily apply to any other case," said Mr Norris.

Lawful

In his decision, Judge Beatson held that the Brigadir was lawfully boarded, the net legally sealed, a portion of it legally taken by Taranaki officers and the remainder of it lawfully collected from the Brigadir when the ship came to Wellington.

He said he had already found that some 80-85 percent of the mesh was under size and that in any event clearly brought it within the ambit of regulation 75, which could in no way be said to be uncertain in its application.

It was incumbent upon the informant to establish to the criminal standard of proof that the defendants were fishing with an undersize net.

"At the end of the day I am left with some doubt as to whether or not the shrinkage which has been proved occurred while fishing was in operation."

"If indeed the shrinkage occurred after the mud had been let out of the net when it had been pulled out of the water then in my view fishing had ceased at that point in time and under regulation 75 the defendants could not be held liable even if I am wrong in my assumption that this is not an offence of absolute liability," he said.

"I wish to conclude by saying that in this case the duties of the Navy and personnel of the Ministry of Agriculture and Fisheries have been carried out impeccably," Judge Beatson said.

BRIEFS

JAPAN, U.S. STAND ON LAW OF SEA CONFERENCE--Tokyo, 5 Mar (KYODO)--It would be very difficult to start talks afresh for deep seabed development despite a U.S. decision to block early completion of the law of the sea treaty, Foreign Ministry sources said Thursday. Discussions are likely to be unproductive at the coming Law of the Sea Conference which opens Monday for a five or six-week session at the United Nations headquarters in New York, the sources said. President Ronald Reagan's administration is greatly dissatisfied with a rough agreement on deep seabed development reached over years of negotiations. Delegates to the conference have so far agreed broadly that an international authority and private business interests promote development of deep seabed resources like manganese nodules. The United States claimed that private firms will be forced to forgo profits and will find no commercially-viable business under the present agreement, the sources said. [Text] [OW050526 Tokyo KYODO in English 0511 GMT 5 Mar 81]

BULGARIA DELEGATE CONDEMNS U.S. STAND--New York, 5 Mar (BTA)--In connection with the decision of the U.S. Government to block the efforts of many states at preparing the international law of the sea treaty, the leader of the Bulgarian delegation to the 10th session of the sea law conference, and president of one of the three main committees of the conference, Mr Aleksandur Yankov, told the BTA correspondent: "This is a downright blackmail with a view to extracting new concessions which the United States had failed to obtain through normal negotiations. This is a move prompted by the monopolies which are seeking to usurp the wealth of the oceans and seabed, and also by the military circles seeking to achieve and impose unilateral oceanic military superiority for the United States." Mr Aleksandur Yankov said that at present the United States, in spite of the previously adopted obligations, is seeking to assume the role of a judge and to impose on the world their unilateral will in the interests of the monopolies and the Pentagon. By this, and by abandoning of obligations already assumed, he says, the United States is demonstrating arrogance and defiance. [Text] [AU051024 Sofia BTA in English 0902 GMT 5 Mar 81]

SLOVAK 'PRAVDA' CITES U.S. CHANGE ON SEA LAW--Washington-New York (CTK)--The United States will not accede to the Law of the Sea Treaty if it does not ensure American mining firms' access to mineral deposits at the bottom of seas and oceans. This was announced Thursday by the representative of the U.S. Department of State in the Senate Foreign Relations Committee, which is to approve the U.S.

delegation's course at the 10th session of the Third UN Law of the Sea Conference that starts on Monday in New York. According to a New York dispatch from the American AP Agency, the conference delegates, who had hoped that the many years of effort to achieve approval of international norms for utilizing the riches of the seas and ocean would be concluded in the next few weeks by working out a treaty, have received the U.S. Government attitude with great indignation. The sudden change of attitude by the U.S. Government has particularly outraged the representatives of the development countries, the American agency writes. [Text] [AU 091314 Bratislava PRAVDA in Slovak 7 Mar 81 p 7]

CSO: 5200

NEW ZEALAND FISHERMEN RAP JAPANESE TUNA-TAGGING RESEARCH

Japanese Boat Chased

Auckland THE NEW ZEALAND HERALD in English 27 Feb 81 p 5

[Text] Nelson (Press Assn)--Fishermen have warned the Minister of Agriculture and Fisheries there could be trouble if a Japanese tuna boat is not removed from West Coast waters.

Already a fleet of angry fishermen had attempted to surround and trap the Kyo Maru No 5 after it entered their fishing grounds, said the president of the Federation of New Zealand Fishermen, Mr E. L. Collins.

"New Zealand boats chased her for three hours before she managed to escape and steam out to sea to the west," Mr Collins said in Greymouth yesterday.

They had been keeping a track of her on radar and the Japanese craft was north of Westport on Wednesday night.

"I hope the minister will see common sense and keep the boat out of the area now," said Mr Collins.

Telegram

A meeting in Greymouth yesterday attracted 80 fishermen — some steaming for 14 hours from fishing grounds to air their views on the Japanese intruder.

"A telegram was sent to Mr MacIntyre from the meeting, urging him to remove the vessel from West Coast and New Zealand waters," said Mr Collins.

He said the Kyo Maru had broken the conditions which allowed her into New Zealand waters.

"She was supposed to stay north of Cape Foulwind, keep out of the way of New Zealand fishermen and return albacore as soon as they were tagged.

"The vessel was fishing only 1.5 miles off the coast in a conflict situation with local fishermen and three pole fishermen at her bow were not releasing the fish.

Log Books

"We have one fisherman who watched her closely who will sign a statutory declaration to this effect."

Mr Collins said there were between 150 and 200 vessels from Northland, Auckland, Tauranga, New Plymouth, Nelson, Picton, Fiordland, Bluff and Stewart Island fishing with West Coasters in the area.

"Some of us are keeping tuna log books and we are all prepared to help with research, so why do we need this Japanese Government-owned vessel here?"

"If we allow them to go ahead, the Japanese will get the information as well as us and the next thing they will be applying to send big joint-venture boats down here.

"Fishermen here have had it fairly badly lately and the albacore are going quite well

at the moment. There is no way they are going to see another fishery go to the foreigners."

Mr Collins questioned the Japanese ability in fishing the albacore, stating that on a day when the Kyo Maru was known to have caught only 25 fish, most New Zealand boats in the same area had landed 200.

"So wouldn't it be more effective to do the research from our own boats?"

Benefits Could Accrue

Auckland THE NEW ZEALAND HERALD in English 28 Feb 81 p 12

/Text/ Major benefits could accrue for the local fishing industry from Japanese tuna-tagging research now being carried out off the West Coast.

The exercise, which raised a storm among West Coast fishermen, who chased off the Kyo Maru No 5, is part of a major research programme. Costing \$13 million, the survey is being conducted by Jamarc, the Japanese fisheries research organisation.

Jamarc is spending one-quarter of its annual research budget on work in New Zealand waters this summer, and the programme

has the full support of the New Zealand Ministry of Agriculture and Fisheries.

The deputy director of the research division of the ministry, Dr Adrian Coleman, said the Kyo Maru No 5 was being used because New Zealand did not have the facilities to conduct research of this nature.

All the data acquired during her two-month programme will be made available to the ministry and the local fishing industry.

The ministry's own tuna expert, Dr George Habib, at present on board the Kyo Maru No 5, is assisting in the research.

The main object of the exercise is to evaluate the stock size, movement and economic feasibility of fishing albacore tuna by the pole-and-line method, Dr Coleman said.

There is no commitment that this fishery should be turned over to Japanese or other foreign fishing boats, according to Dr Coleman.

Bait Tanks

Jamarc is conducting the research on the understanding that should there be room for any foreign participation then the Japanese fishing industry would get first chance.

If a commercial fishery for albacore is proved then the local fishing industry will have to build special pole-and-line fishing boats with refrigeration capacity and tanks for live anchovy bait.

At present there are no New Zealand boats of this type.

The Kyo Maru No 5 has circumnavigated the North Island checking out albacore.

Opposition

Mr Coleman said there were indications that the species was widespread.

The voyage to the West Coast of the South Island was to try to establish the southern limits of the species.

The Kyo Maru No 5 did not strike opposition from local fishermen in other waters during her cruise.

A 3400-tonne stern-trawler, the Shinkai Maru, is at present carrying out a two-month squid survey around Stewart Island.

Squid-tagging

The Tomi Maru is evaluating fishing resources from the northern tip of the South Island to the Three Kings Islands.

In addition, the Sanko Maru No 18 is conducting a squid-tagging survey off the north of the South Island for the Far Seas Laboratories of Japan.

She is working in co-operation with scientists of the Ministry of Agriculture and Fisheries in this, the first squid-tagging operation to be conducted in New Zealand waters.

The squid survey will give local fisheries scientists better knowledge of the stock size and its movements.

FISHERMEN COMPLAIN OF TAIWANESE MESH SIZES

Perth THE WEST AUSTRALIAN in English 3 Feb 81 p 32

[Text] Fisheries men complained to a Senate science and environment committee hearing yesterday about the mesh size used by Taiwanese trawlers off WA.

The federal president of the Australian Fishing Industry Council, Mr F. A. L. Connell, said in Perth that if the Taiwanese struck big fish when they were already laden with small fish, they threw the little ones back, frozen.

Mr Colin Muir, for the Kailla and France group, of WA, said that this year for the first time the Federal Government had imposed a mesh limitation on the nets of Taiwanese trawlers working on the North-West Shelf.

He believed that it was 50mm.

But by putting one net inside the other the trawlers were effectively halving the size of the mesh.

Some of them were "nearly watertight."

The Taiwanese had a home market for small fish that did not sell in Australia, Mr Muir said.

PATTERN

He agreed with Mr Connell's contention that the pattern of fishing by the Taiwanese on the North-West Shelf now made it uneconomic for an Australian boat to work that area.

Mr Connell said that the Taiwanese were allowed to operate there

because the Australian industry had been unable to use the area.

But the Taiwanese establishment there had made it unlikely that the stock of fish would build up to the point where it could be fished by Australian vessels.

Mr Muir said that the tastes of the two markets were different.

The Taiwanese could sell small fish on which the flesh had to be picked from the bones.

Australians liked big fillets of fish.

AUSTRALIA

BRIEFS

OIL SPILL PROSECUTION--Sydney--The Maritime Services Board will prosecute the Total Oil Company after an inquiry into a major oil spill in Botany Bay on Saturday. The board president, Mr John Wallace, said the prosecution arose out of a spillage from the Total oil refinery into Yarra Bay. The spill affected almost a third of the area of Botany Bay between Yarra Bay and Towra Point at various times in the following two days. [Text] [Brisbane THE COURIER-MAIL in English 28 Jan 81 p 8]

OFFSHORE SURVEY--Pan Pacific Petroleum NL said in its quarterly report that an application for WA-149-P offshore in the Carnarvon Basin had been successful and would soon be granted to the Pan Pacific and Mesa Australia Ltd consortium. In addition to Mesa and Pan Pacific the WA-149-P consortium included Western Mining Co Ltd, Offshore Oil NL, Pancontinental Petroleum Ltd, Sydney Oil and Co Ltd, Petro Energy Ltd and Golden West Hydrocarbons Pty Ltd. Pan Pacific also reported that the 140 line-kilometre Minderoo seismic survey of EP-110 onshore in the Carnarvon Basin was due to start this month. It was hoped that results would be interpreted in time to allow a drilling programme to start in mid-1981. [Text] [Perth THE WEST AUSTRALIAN in English 14 Feb 81 p 64]

CSO: 5200

DELHI MEETING DISCUSSES ECONOMIC ZONE MANAGEMENT

New Delhi PATRIOT in English 19 Feb 81 p 5

[Text] Madras, Feb 18 (PTI)--Prof Nurul Hasan vice-president, Council of Scientific and Industrial Research (CSIR) today called upon the country's scientists and technologists to accept the challenge of managing and exploiting the 200-mile exclusive economic zone along the country's long coast.

Inaugurating the first Indian Conference in Ocean Engineering at the Indian Institute of Technology here Prof Hasan said the resources on land had been overused. While there had to be 33 per cent forests to maintain the ecological balance forest area had been reduced to 11 to 12 per cent. There was also the need to turn to the ocean for food to feed the people.

Referring to the need for quicker self-sufficiency in oil and natural gas, Prof Hasan said the country had to lean heavily in this regard on the ocean and "the present expectations are very attractive".

Vice Admiral N P Datta, chairman and managing director of Mazagon Dock Limited, in his keynote address said Mazagon was supporting the ONGC by providing fixed off-shore platforms. It had already acquired land at Nava island for expanding its activity and producing 10 platforms per annum, he said.

Describing as noteworthy ONGC's progress, Vice Admiral Datta said the present rate of flow of oil was six million tons and this was expected to reach 12 million tons by 1982.

He said of the 88 wells drilled by ONGC only 31 had proved to be dry. The explorations had established that proven recoverable reserves of the country were in the order of 240-250 million tonnes of oil and 270 billion cubic metres of gas.

Over 300 delegates, including 16 from abroad are attending the three-day conference.

CSO: 5200

INDIA

BRIEFS

MINERAL NODULES--Scientists of the National Institute of Oceanography have succeeded in collecting polymetallic nodules from the seabed. The grey to black potato shaped nodules found in large areas of the deep seabed contain nickle, copper, cobalt, manganese and iron. India's mineral reserves will increase manifold with the discovery. Director of the institute Doctor S.Z. Qasim told newsmen in Panji that their research vessels--Gaveshani--hailed up the first sample on 6 January 1981. Prime Minister Mrs Gandhi has congratulated the scientists on their success. So far only six other countries in the world are engaged in collecting nodules. India is the first among the developing nations to do so. [Text] [BK110915 Delhi ISI Diplomatic Information Service in English 0831 GMT 11 Mar 81]

CSO: 5200

FISH EXPORTS IN 1980 FOUND 60 PERCENT HIGHER THAN IN 1979

Wellington THE EVENING POST in English 27 Feb 81 p 4

[Text]

NEW Zealand exported a record \$162 million worth of fish last year, provisional figures from the New Zealand Fishing Industry Board show.

The value of the exported catch was 60 percent higher than the previous year, \$97 million. The tonnage exported in 1980 was provisionally 110,000 tonnes compared with 65,000 tonnes the previous year, a 68 percent increase.

But while industry officials are pleased with the burgeoning size of the export trade, they say the high exports do not reflect the fact that many sales were at marginal prices.

The board's marketing manager, Mr Russell Armitage, said today that great efforts were being made to market this year's expected 150,000 tonnes at better overall prices.

World-wide

"The industry has got to get better realisation for its product and that's why we've got a world-wide marketing strategy," he said.

He estimated that about half of last year's fish export income had come from fin fish. Shellfish and squid had brought in about \$50 million, and rock lobster about \$30 million.

The biggest market was Japan, which took about 25 percent of the catch, followed by Australia, the United States and European markets.

He said European countries like Spain, Italy and Germany were taking increasing amounts of fish. Other developing markets were West Africa and the Middle East, both of which had taken 3000 to 4000 tonnes last season.

The board's retiring chairman, Mr Melv Corner, said the fishing industry was entering one of its most challenging periods and would need a closely co-ordinated and concerted effort from all sectors of industry and government if development was to be carried through successfully.

U.S. CHANGED POSITION ON SEA LAW CRITICIZED

'RUDE PRAVO': 'Shocked'

AU111521 Prague RUDE PRAVO in Czech 10 Mar 81 p 7

[Dispatch by Karel Filek, CTK New York correspondent: "Hitting Below the Belt; The White House Shocked the Participants of an International Conference"]

[Text] New York, 9 March--The participants in the 10th session of the Third International UN Conference on the Law of the Sea, which opened on Monday in the UN's New York headquarters, were literally shocked by the decision of the Reagan administration to block the conclusion of an international treaty that was to constitute the conference's culmination. The draft treaty was the outcome of 7 years of negotiations in which virtually all countries took part, including those that are not UN members.

The Reagan administration has now instructed its delegation not to sign any document and to wait until the American attitude toward the treaty is "reassessed." In addition, less than 48 hours before the conference opened, the acting head of the American delegation at the conference, George Aldrich, and 6 other delegation members were stripped of their posts. James Malone, the secretary of state's assistant secretary for oceans and international and environmental and scientific affairs, was appointed new chief of the U.S. delegation.

The change in the U.S. attitude toward the Law of the Sea Treaty accomodates the interests of American monopolies, which are behind the whole action.

[Prague ZEMEDLSKE NOVINY in Czech on 10 March 1981 on page 2 also carries a 150-word CTK Washington dispatch on the same topic, entitled "They Are Torpedoing an Agreement on the Law of the Sea; Changes in the American Delegation on the Eve of the Conference."]

'VECERNIK': 'Block' Is Economic

AU121034 Bratislava VECERNIK in Slovak 10 Mar 81 p 2

["(AR)"]-signed commentary in the column "Word on Events": "A Step Against the World"]

[Text] The 10th session of the Third International UN Conference on the Law of the Sea, which opened yesterday in New York, was to be the last session in the 7-year marathon of these significant negotiations. However, at the very last moment deep disillusionment replaced the justified optimism connected with the planned signing of the treaty which, for the first time in history, was to determine the comprehensive legal regime on two thirds of the surface of our globe. President Reagan's new American Government has, in fact, decided to block the signing of the agreement.

The negotiations on the Law of the Sea were forced through by the developing states. In this way they wanted to prevent the uncontrollable wheeling-and-dealing of the modern fishing fleets of capitalist states near their shores. In the interests of protecting the wealth of fish, they proposed, and finally pushed through, the establishment of 200-mile economic zones. However, in this way a large part of the seas and oceans landed under the control of individual countries, particularly all the important straits serving maritime navigation. That is why it was necessary to achieve an agreement also in these matters. The last circle of problems, which were discussed the most, concerned the definition of activities on open areas, beyond the economic zones. This mostly concerns deep oceans, which are nevertheless rich in many kinds of raw minerals, including the most precious metals and gold. It remained an open question who might make use of them, and how. Although at the beginning of the negotiations Lyndon Johnson, who was then U.S. president, claimed in connection with the economic zones previously mentioned that the sea riches are a "common heritage of mankind," later Washington began to dissociate itself from such an idea.

Because, in fact, the American monopolies themselves began to extract the sea riches from great depths and wanted to use their technological start for making profit. But the sea riches are truly the riches of everybody, and thus their common utilization was pushed through in the negotiations--particularly the division of profit among all countries, including those without access to the sea.

The Reagan government's decision to block such a solution is thus based primarily on economic reasons. But it is impossible not to see that it is a matter of power interests for the United States, which--in acting from positions of strength in various parts of the world--does not want to be bound by any treaties.

CSO: 5200

FAIR REGULATIONS EXPECTED FROM LOS CONFERENCE

AU100924 Bucharest AGERPRES in English 0802 GMT 10 Mar 81

["Demand for Regulations Favoring All States' Development"--AGERPRES headline]

[Text] Bucharest, 10 Mar (AGERPRES)--Under the above headline, ROMANIA LIBERA carries a commentary on the 10th session of the Conference on the Law of the Sea, the proceedings of which started in New York, pointing out, among other things, that the previous sessions provided the participants an opportunity of setting forth their stands and outlined a draft code of the law of the sea. However, two particularly important questions remained unresolved, namely those regarding the precise limits of the Continental Shelf and the right of exploiting marine resources, particularly metals and energy resources in marine waters, sea-beds, ocean floors and the subsoil thereof. Regarded in this respect, the previous sessions of the conference are part of the actions taken in the world for the building of a new international economic order, so that the riches and potential of the planetary ocean be included in national economic circuits, in interstate cooperation, being called upon to contribute to speeding up the development process. As estimations made by experts showed, the exploration and exploitation of these riches may contribute substantially to enhancing the material potential of sectors of great interest. In this respect suffice it to mention the ensurance of alimentary resources and the necessary quantities of metal, nonferrous in particular, of oil and coal mankind could benefit from if they were brought to the surface from the waters of the planetary ocean, from the ocean floor. For these desiderata to come true it is necessary that a substantial, high quality technological potential exist. Furthermore, it is necessary that all states have access to it, which does not happen at present. The great majority of the complex and costly technologies still belong to the industrially developed countries which, a priori, gives them priority in the exploitation of marine resources, the majority of the states of the world--the developing and underdeveloped ones--being obviously disadvantaged. Given the refusal of the Western industrialized countries to come to equitable regulations, many riparian developing countries took and applied measures meant to protect and conserve marine and sub-marine resources in the seas and oceans lying in the vicinity of the national territories.

The effects of the differing stands on juridical regulations in the marine field, and particularly on the economic consequences of their application bore on the political plane as well, generating fresh elements of tension in international life. It was proved, in this way as well, that that was not the way whereby equitable regulations on the law of sea may be reached, regulations that should take account of the interests of both the riparian countries and mutually advantageous international economic cooperation, the access of all states to the gains of modern science and technology.

As repeatedly pointed out, Romania considers that these demands should be the starting points in the establishment of a law of the sea, in the spirit of the imperative need for democratizing the international life. Naturally, as proved in other domains as well, in order that these objectives be attained the constructive contribution of all the states is needed just as the display and materialization of their will in this respect.

CSO: 5200

BRIEFS

U.S. TO STUDY SEA LAW DRAFT--United Nations, 5 Mar (TANJUG)--The new U.S. administration has asked the United Nations for more time to study the draft convention on sea law, nearly adjusted over the past seven years. The draft was to be approved at the Tenth Session of the Sea Law Conference, to open here on March 9. The United States has, however, asked that the session do not end negotiations until the U.S. Government could re-examine the whole problem. The U.S. action has met in the U.N. headquarters with reaction ranging from polite surprise to open indignation. International norms of behavior on this head have virtually been adjusted and are now suddenly brought in question. According to some reports, the present U.S. action reflects U.S. companies' disagreement with the method envisaged for the exploitation of mineral resources in international waters of the oceans, which have been proclaimed the "common heritage of mankind." UN Secretary-General Kurt Waldheim is particularly placed in an unpleasant position, as he is to open the Tenth Sea Law Conference Session on March 9. Meanwhile, Waldheim is trying to get an explanation of the true meaning of the latest U.S. action. [Text] [LD051446 Belgrade TANJUG in English 1104 GMT 5 Mar 81]

CSO: 5200

BRIEFS

U.S. TO REVIEW TREATY--Ronald Reagan's administration has obstructed conclusion of the International Law of the Sea Treaty which had been planned for the spring of this year. UN Secretary General Kurt Waldheim was officially notified by the U.S. representative that the United States intends to reconsider its position on the drafted treaty. This Washington decision has been taken at the United Nations as another indication of the disregard of the position of the world community on the part of the new Yankee administration which only takes into account its own national interests. The unexpected and shameless U.S. refusal to maintain its position only a few days prior to the opening of the International Law of the Sea Conference places the United Nations and delegations of almost 150 countries in an embarrassing position. [Text] [FL051546 Havana Domestic Service in Spanish 1518 GMT 5 Mar 81]

CSO: 3200

U.S. DECISION ON LAW OF SEA TERMED DISAPPOINTING

NC062154 Cairo Domestic Service in Arabic 1830 GMT 6 Mar 81

[News analysis by Violette Pu'ad, radio political affairs editor, on the law of the sea negotiations]

[Text] The U.S. decision to reconsider its stand regarding the law of the sea has come when the 150 states participating in the Law of the Sea Conference are preparing to hold the 10th session of the conference in New York this coming Monday. The U.S. decision has raised a feeling of disappointment among the participating states, who were preparing in their new session to arrive at a final agreement on the Law of the Sea Treaty. The negotiations over the treaty have been continuing since 1973 with the aim of regulating the rights of littoral states to exploit the seabed's mineral resources.

The new proposed treaty is the first international agreement which aims at regulating the relations of ownership among the littoral states and which gives the right to exploit seabed resources to various nations and to major industrial enterprises through a legitimate plan within the framework of the United Nations. The most difficult problem that faced the treaty negotiators over the last 7 years was the question over the conditions defining seabed mineral extraction operations and the distribution of the proceeds from these operations among the states and industrial enterprises. Perhaps what increased the difficulty of these negotiations was the move to claim parts of the oceans which contain mineral resources, particularly copper and cobalt, which are of strategic importance, in view of the constantly rising prices of minerals which have been destructively extracted from the earth for over 3 decades.

CS0: 5200

SEA RESOURCES RIGHTS EXTENDED TO 200 NAUTICAL MILES

LD190010 Rabat Domestic Service in Arabic 2000 GMT 18 Dec 80

[Excerpts] The Chamber of Deputies devoted the afternoon's session to verbal questions which were answered this week by Dr Rahhal al-Rahhali, Minister of Public Health.

Then the chamber moved to a discussion of the draft law concerning the creation of a pure economic zone of 200 nautical miles, that is 360 kilometres along the Moroccan coast. After the rapporteur of the economy, industry, and trade committee had read the text of the draft law and pointed to the committee's unanimous approval of it 'Abd al-Wahid ibn al-Sa'ud and Muhammad Khatir, of the Ahrar group, (Fathallah Wali'lu) from the confederal opposition and 'Abd al-Rahim Ghallab from the unity and equality group succeeded each other to the rostrum. The deputies in their interventions expressed their parliamentary groups' support for the aforementioned law which will secure the protection of our territorial waters and guarantee our sovereignty of maritime resources in addition to securing important sources of food and energy. They also stressed the need to impose strict control over fishing boats that infiltrate this region to plunder its resources. Then the Minister of Commerce, Industry, Merchant Shipping and Maritime Fishing, Azzedine Guessous, spoke and stressed the importance enjoyed by Moroccan coasts. An indication of this is the fact that in the past they were subjected to colonialist invasions which used to concentrate their presence on these coasts. Then the minister referred to the 1973 decree which created a pure region for fishing extending to 70 nautical miles. The minister said the meaning of this region differs from that of the pure economic region. The minister explained that the pure fishing zone concerns only the fishery resources. It is also regarded as part of the high seas while the pure economic region covers all maritime resources and is not subject to the regional sea law. He confirmed that Morocco did not want, by this draft law, to reduce cooperation with other countries in the maritime field. In this context he recalled a statement by King Hasan II in which he confirmed the readiness of Morocco to extend a helping hand to every neighboring country in the maritime field. The minister concluded his speech by pointing to a number of measures capable of implementing the draft law such as paying attention to maritime and coastal equipment and the imposition of strict control in Moroccan territorial waters.

Abderrahmane Baddou, secretary of state for foreign affairs, in his turn, intervened to express his satisfaction at the unanimous support expressed by the deputies for the aforementioned draft law. He stressed the importance of the draft law and said that Morocco had taken various measures capable of protecting its maritime rights.

The chamber then moved to voting on the 31 actions of the draft law and approved them unanimously and it also unanimously approved the law as a whole.

CORRESPONDENTS VIEW LAW OF SEA CONFERENCE

DW101548 Frankfurt FRANKFURTER ALLGEMEINE in German 9 Mar 81 p 11

[Correspondents' articles: "America in No Hurry Regarding New Law of the Seas"]

[Text] JS, New York, 8 March--At the UN in New York, the fact has been noted with great disappointment that the Reagan government will delay the end of the Law of the Seas Conference.

The conference will meet in New York today for its 10th session. Work on a new convention on the Law of the Seas which was started in 1974 has advanced to a point where the convention was expected to be finalized during this session which will last until 24 April, so that it could be signed by all member states in Caracas next year. U.S. companies which are interested in extracting resources from the bottom of the seas reportedly have caused the new government in Washington to delay the conclusion of the convention, because they do not agree to the envisaged provisions on the exploitation of resources on the bottom of the seas and want to have more leeway for private initiative. However, conference circles have the impression that the United States will gain much more than it will lose through the convention and therefore ought to be interested in having it passed soon.

K.B., BONN, 8 March--The Federal Government will try in New York to achieve an improvement of the new draft convention on the Law of the Sea in favor of the Federal Republic. But Bonn has not concealed that the basic decisions have already been made. In the convention, the use of the seas and the bottom of the seas is to be newly regulated and a comprehensive international system for navigation, fishing, research of the seas' environmental protection and deep sea mining is to be set up. Bonn points to the fact that the Federal Republic, being a country with poor raw material resources and a short coastline, is put at a disadvantage by the new Law of the Seas convention. But a better result could not be achieved against the majority of the 163 participating states.

The Federal Government also has considerable political doubts about the envisaged system of deep sea mining, which has a planned economy basis. Deep sea mining is to be regimented perfectly by an international bottom of the seas agency. Individual states and enterprises will have access to the raw material resources of the seas like manganese, cobalt, nickel and copper only together with the agency. The traditional raw material producers thus far have been able to enforce their demand that price reductions for their metals be prevented through production restrictions in deep sea mining.

The oceanic technology industry is to be forced to make its extraction technology for deep sea mining available to the agency. Bonn sees this as the beginning of a mandatory technology transfer which the Third World has demanded in vain to this day at other international conferences. The opposition in Bonn says that the whole planned economy system of deep sea mining meets the demands of developing countries for a "new world

economic order" too much. Federal Economics Minister Lambsdorff has expressed concern about the Law of the Seas draft convention containing too many dirigistic [possible derivative of 'dirigisme'--economic planning and control by the state] and protectionist elements.

In New York, the Federal Government will above all safeguard German interests in deep sea mining. Negotiation guidelines will be resolved by the cabinet this week. The government above all wants the German economy and its highly developed oceanic technology industry to get investment protection for opening up the new raw material resources. A preparatory commission will be set up to make it possible for deep sea mining to be started prior to the conclusion of a convention. This is considered necessary because after conclusion of the Law of the Seas Conference, it will be 5 or 7 years until a minimum number of states (between 50 and 60) will have passed the convention. However, it is not yet clear whether the present draft convention can already be finalized for resolution.

CSO: 5200

AMBASSADOR, FOREIGN MINISTER ON LOS CONFERENCE

Ambassador Evenson

LD101059 Oslo AFTENSPOTEN in Norwegian 6 Mar 81 p 4

[Article by Egil Hegge]

[Excerpt] Washington, 5 March--Ambassador Jens Evensen on Thursday [5 March] briefed the Nordic countries' Law of the Sea ambassadors on the situation which has arisen on the eve of the opening of the next session of the UN Law of the Sea Conference, now that the United States has announced that it is not ready to negotiate on the outstanding questions.

"This came as a complete surprise to us, and the reaction here at the UN headquarters is especially strong among the developing nations. Their views polarize around two extreme positions--either to postpone the whole session or to abandon the consensus principle and vote on the individual paragraphs," Evensen told AFTENPOSTEN.

"Our view is that both would be unfortunate. Norway has therefore taken an initiative which would mean that the session would be held and that work would continue as if nothing had happened, to the extent that this is possible. There are a number of questions which can nevertheless be discussed, and we just have to accept the fact that during and after the election campaign the new administration made commitments on so many points that it will have to have time to shape its policies."

"But we are fully intent on avoiding unnecessary trouble about this. We are actually running the risk of destroying everything if we now hold a session which would lead to an outcry against the United States. In my opinion, we should meet again in Geneva in July/August after this session and then see if it is possible to work further on the basis of the consensus principle," Evensen said.

The consensus principle presupposes that the Law of the Sea convention is so shaped that all participating countries agree on its individual paragraphs.

Ambassador Evensen also said that the developing countries find it incomprehensible that the new U.S. Government should want to renounce its commitment to sections which have already been negotiated. "There have been changes of government in a number of countries in the 7 years which have passed while we have been busy with this task, without these countries' representatives reneging on earlier commitments. Also a great deal of the work has been done by and under Republicans. It began in Richard Nixon's time, continued under Gerald Ford, and throughout Jimmy Carter's term the U.S. delegation was led by Elliot Richardson, who is a Republican and was a member of Richard Nixon's government."

Foreign Minister Frydenlund

LD101007 Oslo AFTENPOSTEN in Norwegian 6 Mar 81 p 4

[Text] "I do not think that the United States intends to stop the Law of the Sea Conference," Foreign Minister Knut Frydenlund told AFTENPOSTEN.

"The new U.S. administration's request for time to look into the matter is not unexpected. We see this happening in other areas. But it is our hopes that the Americans will continue work on the conference as soon as possible."

Frydenlund stressed that this is an example of one of the great international conferences and that it is also in its final phase. In the light of the fact that several previous U.S. administrations have been party to this work, Frydenlund believes that the United States does not want the whole thing to break down.

"Norway wants the New York session to be held as planned, so that the signing of a Law of the Sea convention can take place according to the prescribed timetable. But there could be delay here if the United States takes its time in reaching a decision," Foreign Minister Frydenlund said.

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